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Attorneys for Complainant

**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

WILLIAM D. WILLIAMS

58 18th Street
Hermosa Beach, California 90254

Physical Therapist No. PT 29643

Respondent.

Case No. 1D 2005 64150

OAH No.

A C C U S A T I O N

Complainant alleges:

PARTIES

1. Steven K. Hartzell (Complainant) brings this Accusation solely in his official capacity as the Executive Officer of the Physical Therapy Board of California, Department of Consumer Affairs.

2. On or about August 17, 2004, the Physical Therapy Board of California issued Physical Therapist License Number PT 29643 to William D. Williams (Respondent). The Physical Therapist license was in full force and effect at all times relevant to the charges brought herein and will expire on October 31, 2007, unless renewed.

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1 reputation, personality, or habits.”

2 7. Section 480 states, in pertinent part:

3 “(a) A board may deny a license regulated by this code on the grounds that
4 the applicant has one of the following:

5 “(1) Been convicted of a crime. A conviction within the meaning of this
6 section means a plea or verdict of guilty or a conviction following a plea of nolo
7 contendere. Any action which a board is permitted to take following the establishment of
8 a conviction may be taken when the time for appeal has elapsed, or the judgment of
9 conviction has been affirmed on appeal, or when an order granting probation is made
10 suspending the imposition of sentence, irrespective of a subsequent order under the
11 provisions of Section 1203.4 of the Penal Code.

12 “(2) Done any act involving dishonesty, fraud or deceit with the intent to
13 substantially benefit himself or another, or substantially injure another; or

14 “(3) Done any act which if done by a licentiate of the business or profession
15 in question, would be grounds for suspension or revocation of license.

16 “The board may deny a license pursuant to this subdivision only if the
17 crime or act is substantially related to the qualifications, functions or duties of the business
18 or profession for which application is made.

19

20 “(c) A board may deny a license regulated by this code on the ground that
21 the applicant knowingly made a false statement of fact required to be revealed in the
22 application for such license.”

23 8. Section 2660 of the Code states:

24 “The board may, after the conduct of appropriate proceedings under the
25 Administrative Procedure Act, suspend for not more than 12 months, or revoke, or impose
26 probationary conditions upon any license, certificate, or approval issued under this chapter
27 for unprofessional conduct that includes, but is not limited to, one or any combination of
28 the following causes:

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1 Number 98-0340, Respondent was convicted of violating South Dakota Codified Law
2 section 22-35-5, criminal trespass (entering or remaining in a building when not
3 authorized) and South Dakota Codified Law section 35-9-2 (consumption/ possession of
4 alcoholic beverages by a minor). For criminal trespass, Respondent was ordered to pay a
5 fine and costs and to serve 30 days of jail time. For consumption/possession of alcoholic
6 beverages by a minor, Respondent was ordered to pay a fine and costs and serve 5 days of
7 jail time. All jail time imposed was suspended on the condition that Respondent pay the
8 fines and costs and obey the law for a period of one year.

9 13. By checking the box marked "No," Respondent knowingly
10 misrepresented his criminal history, which the application required him to reveal. By
11 Respondent's checking the box indicating "No," and thereafter submitting his application
12 to the Board, Respondent secured his license by fraud, deceit, or knowing
13 misrepresentation of a material fact or by knowingly omitting to state a material fact.

14 SECOND CAUSE FOR DISCIPLINE

15 (Dishonesty Substantially Related to Qualifications of Physical Therapist)

16 14. By reason of the matters alleged in paragraphs 10 through 13,
17 Respondent is subject to disciplinary action under sections 498, 475, 480, and 2660,
18 subdivision (l), of the Code in that Respondent committed a fraudulent or dishonest act
19 substantially related to the qualifications of a physical therapist.

20 PRAYER

21 WHEREFORE, Complainant requests that a hearing be held on the matters
22 herein alleged, and that following the hearing, the Physical Therapy Board of California
23 issue a decision:

24 1. Revoking or suspending Physical Therapist Number PT 29643,
25 issued to Respondent.

26 2. Ordering Respondent to pay the Physical Therapy Board of
27 California the reasonable costs of the investigation and enforcement of this case, pursuant
28 to Business and Professions Code section 2661.5;

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3. Taking such other and further action as deemed necessary and proper.

DATED: December 21, 2006

Original Signed By: _____
STEVEN K. HARTZELL
Executive Officer
Physical Therapy Board of California
Department of Consumer Affairs
State of California
Complainant

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Williams, William Accusation.wpd